

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 559

93RD GENERAL ASSEMBLY

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INTRODUCED BY SENATOR GIBBONS.

Pre-filed December 1, 2005, and ordered printed.

Read 2nd time January 9, 2006, and referred to the Committee on Commerce, Energy and the Environment.

Reported from the Committee February 9, 2006, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 1, 2006. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

3545S.01P

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## AN ACT

To repeal section 393.705, RSMo, and to enact in lieu thereof one new section relating to joint municipal utility commissions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 393.705, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 393.705, to read as follows:

393.705. As used in sections 393.700 to 393.770, the following terms shall,  
2 unless the context clearly indicates otherwise, have the following meanings:

3 (1) "Bond" or "bonds", any bonds, interim certificates, notes, debentures  
4 or other obligations of a commission issued pursuant to sections 393.700 to  
5 393.770;

6 (2) "Commission", any joint municipal utility commission established by  
7 a joint contract pursuant to sections 393.700 to 393.770;

8 (3) "Contracting municipality", each municipality which is a party to a  
9 joint contract establishing a commission pursuant to sections 393.700 to 393.770,  
10 a water supply district formed pursuant to the provisions of chapter 247, RSMo,  
11 or a sewer district formed pursuant to the provisions of chapter 204, RSMo, or  
12 chapter 249, RSMo;

13 (4) "Joint contract", the contract entered into among or by and between  
14 two or more of the following contracting entities for the purpose of establishing  
15 a commission:

16 (a) Municipalities;

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 (b) Public water supply districts;

18 (c) Sewer districts;

19 (d) Nonprofit water companies; or

20 (e) Nonprofit sewer companies;

21 (5) "Participating municipality", a municipality, public water supply  
22 district, or sewer district acting in concert with a commission in the development  
23 of a project but providing separate financing to acquire an individual interest in  
24 the project;

25 (6) "Person", a natural person, cooperative or private corporation,  
26 association, firm, partnership, or business trust of any nature whatsoever,  
27 organized and existing pursuant to the laws of any state or of the United States  
28 and any municipality or other municipal corporation, governmental unit, or public  
29 corporation created under the laws of **[this] any** state or the United States, and  
30 any person, board, or other body declared by the laws of any state or the United  
31 States to be a department, agency or instrumentality thereof;

32 (7) "Project", the purchasing, construction, extending or improving of any  
33 utility facility or property including without limitation revenue-producing water,  
34 sewage, gas or electric light works, heating or power plants, transmission and  
35 distribution systems, and all other types of utilities and revenue-producing  
36 facilities as deemed appropriate by the governing bodies of the contracting or  
37 participating municipalities, including all real and personal property of any  
38 nature whatsoever to be used in connection therewith, together with all parts  
39 thereof and appurtenances thereto, or any interest therein or right to capacity  
40 thereof and the acquisition of fuel of any kind for any such purposes.

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